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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill has been introduced in the Rajya Sabha on the 29th July, 2021:—

BILL NO. XXVI OF 2021

A Bill further to amend the Coconut Development Board Act, 1979.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

1.(1) This Act may be called the Coconut Development Board (Amendment) Act, 2021. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

5 of 1979. 2. In section 3 of the Coconut Development Board Act, 1979 (hereinafter referred to as the principal Act), for clause (b), the following clauses shall be substituted, namely:— Amendment of section 3.

‘(b) “Chairman” means the non-executive Chairman of the Board appointed under clause (a) of sub-section (4) of section 4;

(ba) “Chief Executive Officer” means the Chief Executive Officer of the Board appointed under sub-section (1) of section 7;’.

Amendment of
section 4.

3. In section 4 of the principal Act, in sub-section (4),—

(A) for clause (a), the following clauses shall be substituted, namely:—

“(a) a non-executive Chairman, to be appointed by the Central Government;

(aa) the Chief Executive Officer, to be appointed by the Central Government;

(ab) the Joint Secretary to the Government of India, in-charge of Mission for Integrated Development of Horticulture, *ex officio*”;

(B) in clause (f), for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) Consumer Affairs”;

(C) for clauses (g), (h) and (i), the following clauses shall be substituted, namely:—

“(g) four members to be appointed by the Central Government one each to represent the Governments of the States of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu, being States where coconut is grown on a large scale;

(h) four members to be appointed by the Central Government by rotation in the alphabetical order to represent the States of Assam, Bihar, Chhattisgarh, Goa, Gujarat, Maharashtra, Nagaland, Odisha, Telangana, Tripura, West Bengal and the Union territories of Andaman and Nicobar Islands, Lakshadweep and Puducherry;

(i) six members to be appointed by the Central Government, two to represent the coconut growers of the State of Kerala and one each to represent the coconut growers of the States of Andhra Pradesh, Gujarat, Karnataka and Tamil Nadu”.

Substitution of
new section
for section 5.

4. For section 5 of the principal Act, the following section shall be substituted, namely:—

“5. The Chairman and members of the Board shall receive such allowances as may be fixed by the Central Government.”.

Allowances
payable to
Chairman and
members.

Amendment
of section 7.

5. In section 7 of the principal Act,—

(a) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) There shall be a Chief Executive Officer of the Board, not below the rank of Joint Secretary to the Government of India, to be appointed by the Central Government.

(1A) The Chief Executive Officer shall exercise such powers and perform such duties as may be prescribed.

(1B) The salaries and allowances payable to, and other conditions of service of, the Chief Executive Officer shall be such as may be prescribed.”;

(b) in sub-section (2), for the word “Chairman”, the words “Chief Executive Officer” shall be substituted;

(c) in sub-section (4), after the words “the Chairman”, the words “or the Chief Executive Officer” shall be inserted;

(*d*) in sub-section (5), for the words “The Chief Coconut Development Officer”, the words “The Chief Executive Officer, the Chief Coconut Development Officer” shall be substituted;

(*e*) in sub-section (7), for the words “the Chairman”, the words “the Chief Executive Officer” shall be substituted.

6. In section 10 of the principal Act, in sub-section (2),—

Amendment of
section 10.

(A) in clause (*b*), for the words “in India”, the words “within or outside India” shall be substituted;

(B) in clause (*i*), the words “on a large scale” shall be omitted.

7. In section 19 of the principal Act, in sub-section (2), for clause (*d*), the following clauses shall be substituted, namely:—

Amendment of
section 19.

“(d) the powers to be exercised and the duties to be performed by the Chief Executive Officer under sub-section (1A) of section 7;

(da) the salaries and allowances payable to, and other conditions of service of, the Chief Executive Officer under sub-section (1B) of section 7;”.

STATEMENT OF OBJECTS AND REASONS

The Coconut Development Board Act, 1979 was enacted to provide for the development of the coconut industry under the control of the Union and for matters connected therewith. The Coconut Development Board was established on 28th January, 1981 under the said Act. At present, the Board has an executive Chairman who is a Joint Secretary level officer in the Government of India, appointed by that Government on deputation basis from amongst officers of All India Services or officers in the Central Government or State Government or Union territory Administration or recognised research institutes or Agricultural Universities or public sector units.

2. For better management and administration of the Board and for the welfare of coconut growers at large, it is proposed to make the post of Chairman a non-executive one. It is also proposed to have a post of Chief Executive Officer of the Board to exercise all the executive powers hitherto exercised by the Chairman of the Board. Thus, the work load shall be shared between the non-executive Chairman and the Chief Executive Officer of the Board resulting in better and effective management and administration of Coconut Development Board.

3. The appointment of a non-executive Chairman would help in using his vast experience in the area of coconut cultivation, production, marketing, etc., for better governance and to take advantage of the new and emerging opportunities to keep pace with other economic entities. It may also facilitate the management of the Coconut Development Board to do business more innovatively and use resources in the most competitive and efficient manner and protect the interests of coconut growers.

4. Under section 10 of the Coconut Development Board Act, 1979, the production and marketing of coconut and its products and related activities are restricted to India only. It is necessary to expand such activities beyond India and to compete in the global market as India is already a member of International Coconut Community.

5. The Coconut Development Board (Amendment) Bill, 2021, *inter alia*, seeks to—

- (i) make the post of Chairman a non-executive one so as to enable better management and administration of the Board and for the welfare of coconut growers;
- (ii) rename the present executive post of the Chairman as the Chief Executive Officer, who shall exercise all the executive powers of the Board;
- (iii) provide for other consequential matters relating thereto.

6. The Bill seeks to achieve the above objects.

NARENDRA SINGH TOMAR.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to amend section 4 of the Coconut Development Board Act, 1979. Sub-clause (A) of said clause seeks to substitute clause (a) of sub-section (4) of said section with new clauses (a), (aa) and (ab) which respectively provide for the appointment of a non-executive Chairman, a Chief Executive Officer and an *ex officio* Joint Secretary to the Government of India, in-charge of Mission for Integrated Development of Horticulture, as members of the Board. Sub-clause (C) of said clause seeks to substitute clauses (g), (h) and (i) of said sub-section, respectively providing for the appointment of four members instead of existing three members, four members instead of existing five members and six members instead of existing four members.

2. Clause 4 of the Bill seeks to substitute a new section for section 5 of said Act. Section 5 as so substituted provides that the non-executive Chairman and Members of the Board shall receive such allowances as may be fixed by the Central Government.

3. Clause 5 of the Bill seeks to amend section 7 of the said Act. Sub-section (1B) of said clause provides for the salaries and allowances payable to, and other conditions of service of, the Chief Executive Officer.

4. However, the salary and allowances which are being paid to the existing Executive Chairman shall henceforth be paid to Chief Executive Officer. Further, the non-executive Chairman shall not be entitled to any salary, but to only allowances. Also, there is an addition of only two representatives of Coconut Growers from the States of Gujarat and Andhra Pradesh as non-official members who shall not be entitled to any salary, but to only allowances. The allowances so payable shall be for participation in the Board meetings, committee meetings, farm visits and other official meetings and such allowances shall be as fixed by Central Government in the rules made in this behalf.

5. This will involve expenditure of recurring nature, which would be a part of the administrative expenditure of the Ministry. The exact expenditure which will be involved under the proposed Bill will depend upon the number of meetings or visits to be attended by the members of the Board. Hence, it is not practicable to make an exact estimate of the recurring expenditure for the purpose at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill seeks to amend section 19 of the Coconut Development Board Act, 1979 to empower the Central Government to make rules for (i) the powers to be exercised and the duties to be performed by the Chief Executive Officer and (ii) the salaries and allowances payable to, and other conditions of service of, the Chief Executive Officer.

The matters in respect of which rules may be made are matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

DESH DEEPAK VERMA,
Secretary-General.